

COMMITTEE ON GOVERNMENT REFORM

TOM DAVIS, CHAIRMAN



MEDIA ADVISORY

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Controlling Restricted Air Space: **Are We Still Vulnerable to Aerial Terrorist Attacks?**

Committee to Review Government's Coordination and Management of Air Defense
GAO to Release Unclassified Excerpts of Report at Hearing

What: Government Reform Committee Oversight Hearing:
"Controlling Restricted Air Space: An Examination of the
Management and Coordination of Our National Air Defense"

When: THURSDAY, JULY 21, 2005 at 10:00 A.M.

Where: ROOM 2154, RAYBURN HOUSE OFFICE BUILDING

Background:

The Federal Aviation Administration (FAA) reported about 3400 violations of restricted airspace from September 12, 2001 to December 31, 2004, 88 percent of which were committed by general aviation pilots. Violations can occur because pilots may divert from their flight plan to avoid bad weather; the Administration may establish newly restricted airspace with little warning; or pilots do not check for notices of restrictions as required. In addition, terrorists may deliberately enter restricted airspace to test the government's response or carry out an attack. Intelligence agencies believe that terrorists are still interested in using aircraft as a weapon to attack the United States.

Securing and defending U.S. airspace is critically dependent upon rapid interagency coordination and information sharing between the FAA, the Department of Homeland Security (DHS), and the Department of Defense (DOD). **Ineffective coordination leaves the federal government incapable of determining whether an aircraft violating restricted airspace presents hostile intent, resulting in little or no time to stop a terrorist threat. This hearing will examine how effectively these agencies are monitoring restricted air space, specifically addressing coordination, information**

sharing, common protocols, procedures and leadership challenges since the 9/11 terrorist attacks.

The Committee requested the Government Accountability Office (GAO) to review the assessment of the threat to the U.S. from the air; the extent to which violations of restricted airspace have occurred since 9/11; the extent to which agencies have acted individually or coordinated to secure U.S. aviation; and interagency policies and procedures that govern the management of airspace violations. **Some of this information is classified, but GAO will release the unclassified version at the hearing.**

Established by the FAA, temporary flight restrictions and other special use airspace measures are national airspace management tools used to restrict flights into protected airspace. The intent of establishing restricted airspace is to reduce the number of flights in that airspace to only those authorized so that the Transportation Security Agency (TSA), FAA, DOD, and other agencies can more readily identify an unauthorized aircraft, and if needed, take actions to deter or defeat it.

TSA is responsible for the first step in air security by trying to ensure that only authorized personnel - pilots, cabin crewmembers, or passengers - gain access to an aircraft. Once airborne, the FAA becomes the lead agency for managing traffic entering into or operating in U.S. airspace. FAA ensures safe operations by monitoring aircraft movements using radar and maintaining communications with the pilots. Either DOD's North American Aerospace Defense Command (NORAD) or DHS are called in to enforce airspace security if TSA or FAA cannot prevent an unauthorized individual from taking control of an aircraft or flying into restricted airspace. Violations are managed using a process of recognition, assessment and warning, interdiction, recovery, and follow-up; who takes these actions depends on the specific nature of the violation.

Witnesses:

Panel I

Davi M. D'Agostino, Director, Defense Capabilities and Management, Government Accountability Office

Panel II

The Honorable Paul McHale, Assistant Secretary of Defense for Homeland Defense, Department of Defense

Major General Marvin S. Mayes, Commander, 1st Air Force and Continental U.S. North American Aerospace Defense Command Region, Department of Defense

The Honorable Robert A. Sturgell, Deputy Administrator, Federal Aviation Administration

Mr. Kenneth S. Kasprisin, Acting Assistant Secretary for Homeland Security, Transportation Security Administration, Department of Homeland Security

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